

## **LISTING OF CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**1. (Currently Amended)** A website constructor[[.]] comprising at least one computer program operable for running on at least one computer, the website constructor comprising:

a selection criteria module that establishes a selection criteria for merchandise selection;

a website organization module that defines a look and feel of a website constructed by the website constructor;

a graphic design module that creates at least one website layout and features setup for the website constructed by the website constructor;

a merchandise selection module in the website constructor that selects merchandise offered for sale on the website constructed by the website constructor that matches the selection criteria at least substantially automatically, the merchandise selection module being based on merchandise made available by a plurality of vendors;

a merchandise information downloading module that downloads substantially automatically, from a plurality of vendors of merchandise, merchandise information defining the merchandise offered for sale on the website constructed by the website constructor that has been selected by the merchandise selection module; and

a website builder that builds the website based on the criteria and conditions that have been setup by the foregoing modules.

**2. (Previously Presented)** The website constructor of claim 1, wherein the constructor is operable substantially automatically.

**3. (Previously Presented)** The website constructor of claim 1, in which the website is optimized for a retail operation.

**4. (Original)** The website constructor of claim 1, in which merchandise information comprises at least two of the following merchandise parameters that are selected from the group consisting of: product code, UPC code, SKU code, product description, retail price, product style, product color, product size, product ordering information, product incentive program, product image, and product tags.

**5. (Original)** The website constructor of claim 4, in which the merchandise information is provided in Extensible Markup Languages (XML).

**6. (Original)** The website constructor of claim 1, in which the selection criteria comprises at least two parameters selected from the parameter group consisting of: category; subcategory; manufacturer; vendor; promotions; close-out; starting date and ending date of seasonal merchandise.

**7. (Previously Presented)** The website constructor of claim 1, in which the website organization module defines the look and feel of the website by reference to one or more organization parameters selected from the parameter group consisting of: category; manufacturer; promotions; close-out; product appearance; and tags representing the begin and end dates for the placement of merchandise on the website.

**8. (Previously Presented)** The website constructor of claim 1, in which the merchandise selection module enables a user of the website constructor to control downloading of merchandise information in a manner which enables: acceptance or rejection of marketing or merchandise information based on the selection criteria; selection of purchase orders, pricing schedules, and delivery schedules; and specification of loading information.

**9. (Original)** The website constructor of claim 1, in which the website builder enables periodical rebuilding of the website.

**10. (Previously Presented)** The website constructor of claim 1, in which the website builder enables rebuilding of the website based on the detection of a changed condition.

**11. (Original)** The website constructor of claim 10, in which the changed condition comprises a change in a date.

**12. (Original)** The website constructor of claim 10, in which the changed condition comprises the changing of the merchandise information by a vendor.

**13. (Original)** The website constructor of claim 10, in which the changed condition constitutes a manual intervention by a user of the website constructor.